

A N
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F O R

The more Effectual Execution of
Orders of the Courts of Justice, for Giving
and Quieting Possessions; And also, for
the more Effectually bringing to Justice,
such Persons as shall Inlist His Majesty's
Subjects, to Serve as Soldiers in Foreign
Service, without Licence.

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D U B L I N:

Printed by GEORGE GRIERSON, Printer to the King's Most
Excellent Majesty, at the *King's Arms* and *Two Bibles* in
Essex-Street, MDCCLII.

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C H A P. XII.

WH E R E A S the Protests of the Law, for Giving the Possession of Lands and Tenements, and for Restoring and Quieting the Possession of Lands and Tenements, is frequently Resisted by Numbers of People, Assembled in a Riotous Manner, in so much that many People have been Hained, and Dangerously Wounded, and others have Lost their
3 3 Lives,

CHAP. Lives, in Endeavouring to Execute the
XII. Process of the Law.

And Whereas such open Contempt and Defiance of the Law is often promoted by persons Employed to Inlist His Majesty's Subjects in a private and clandestine Manner, for the Service of some Foreign Prince, without any Licence Obtained for that Purpose, who find such persons who have Rendered themselves Obnoxious to the Law more Disposed than others, to Inlist for such Foreign Service.

For Remedy therefore of these Growing Mischiefs, which are of the most Dangerous Tendency, and a Reproach to Government, if not prevented;

Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That if any Person or persons shall hereafter be Presented by the Grand-Jury, at any Assizes or General Quarter Sessions of the Peace, for having Opposed or Resisted, or Aided in the Opposing or Resisting the Execution of any Process of the Law, for Giving or Quieting the Possession of any Lands or Tenements, or for having Inlisted, or Used any Means to Seduce or Prevail upon any

any Person or Persons to Enlist, or for having Endeavoured to make any Person or Persons Enlist or Serve as a Soldier or Non-Commissioned Officer, in any Foreign Service, without Leave or Licence of His Majesty, His Heirs and Successors, under the Sign Manual of His Majesty, His Heirs or Successors, or of the Chief Governor or Governors of this Kingdom for the Time being, under His or Their Hands, for that Purpose first had and obtained, and such Presentments being Returned to the Clerk of the Council, the Person and Persons in such respective Presentments Named, shall, by Proclamation from the Lord Lieutenant, or other Chief Governor or Governors and Council of this Kingdom, be Proclaimed; And in Case such Person or Persons so Presented and Proclaimed for having Opposed or Resisted, or Aided in the Opposing or Resisting the Execution of any such Process, do not, within the Time to be Limited by such Proclamation, Render him, her, or themselves to some One or more of the Justices of the Peace of the County, County of the City or Town where such Presentment shall be made, he, she, or they, so Presented and Proclaimed, shall, from thenceforth, be Convict of Felony, and Transported to some of His Majesty's Plantations in America, as in Cases of Felony, and the Court before Whom such Person or Persons shall be brought, shall

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have power and Authority to Order such Offenders to be Transported for the Term of seven Years, in like Manner as other Felons are Directed to be Transported by the Laws and Statutes of this Realm; And all and every Person and Persons who shall knowingly Conceal, Aid, Abett, or Succour such Person and Persons so Presented and Proclaimed, for having Opposed or Resisted, or Aided or Assisted in the Opposing or Resisting the Execution of any such Process, from and after the Time they were so Presented and Proclaimed, shall be Guilty of Felony, and shall be Transported to some of His Majesty's Plantations in America, for the Space of seven Years, in like Manner as other Felons may be Transported, by Virtue of any Law now in being for that Purpose; And in Case the Person or Persons so Presented and Proclaimed as aforesaid, for having Inlisted, or Used any Means to Seduce or Prevail on any Person or Persons to Inlist, or for having Endeavoured to make any Person or Persons to Inlist or Serve as a Soldier or Non-Commissioned Officer, in any Foreign Service, without a Licence from His Majesty, under His Sign Manual, or from the Chief Governour or Governours of this Kingdom for the Time being, under His or Their Hands being first for that Purpose had and obtained, do not, within the Time Limited by such Proclamation, Render him

him or themselves to some One or more of the Justices of the Peace of the County where such Presentment shall be made, he and they so presented and proclaimed, shall be, from thence forth, Convict of High Treason, and suffer accordingly; And all and every Person and Persons knowingly Concealing, Aiding, Abetting, or Succouring such Person and Persons so presented and proclaimed for having Joined, or Used any Means to Seduce or Prebail upon any Person or Persons to Join, or for having Endeavoured to make any Person or Persons to Join or Serve as a Soldier or Non-Commissioned Officer, in any Foreign Service, without a Licence from His Majesty, under His Sign Manual, or from the Chief Governor or Governors of this Kingdom for the Time being, first had and obtained, at any Time from and after the Time so Limited by such Proclamation, shall be Guilty of Felony without Benefit of the Clergy, or of the Statute.

And be it also further Enacted by the Authority aforesaid, That the Printed Proclamation wherein such Person and Persons are Named or Mentioned to be presented by the Grand-Jury of any County, or County of any City or Town in this Kingdom, at the General Assizes or Quarter Sessions, to be Guilty of the Offences aforesaid, shall be Taken, Deemed, and

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Adjudged

CHAP. Adjudged sufficient Evidence against such
XII. Person and Persons.

Provided allways, That before any Grand-Jury shall present any Person or Persons as aforesaid, Examination shall be Taken before some Judge of the Court of King's Bench, Judge of Assize, or Justice of the Peace, upon Oath, before he, she, or they shall be presented as aforesaid, which Examination shall be Lodged with the Clerk of the Crown or Peace for the County or Place where such Person or Persons shall be presented, and a Copy thereof shall be Certified, together with the Presentment, to the Chief Governour or Governours and Council of this Kingdom, before the Person or Persons so presented, shall be Proclaimed.

And Whereas it hath often happened, That Possessions of Lands and Tenements have been held for a Considerable Time after such Resistance and Opposition as aforesaid, to the great Loss and Prejudice of those who have the Right;

Be it further Enacted by the Authority aforesaid, That from henceforth, whenever a Sheriff or other Officer duly Authorized to Execute any Process of the Law, for Giving, Quieting, or Restoring of the Possession of Lands or Tenements, shall be forcibly Resisted and Prevented from Executing

Executing the same, every Person and Persons having Right thereby to be Quieted in, or Restored to their Possessions, shall, from the Time of such Resistance and Opposition, be Held and Deemed to be in the Actual Possession of such Lands and Tenements, to all Intents and Purposes, and as fully and Compleatly as if the Sheriff or other Officer had duly Executed the Process, and shall, and are hereby Declared to be Intitled to the Rents, Issues, and Profits of such Lands and Tenements, from the Time of the Giving and Pronouncing of the Judgment or Decree on which such Process was founded, and that the Payment of Rent for such Lands and Tenements, Becoming or Arising Due, from and after the Time of such Judgment or Decree, to any other Person or Persons Whatsoever, shall be, and is hereby Declared to be Unlawful and Void, and all Rents, Issues and Profits Growing and Accruing from and out of the same, from the Time of such Judgment or Decree, are hereby Declared to be the Property of the Person and Persons Intitled to the Possession under such Judgment or Decree, and that every the Person and Persons who shall Unlawfully Keep Possession of such Lands, Tenements, Hereditaments, and Premises, after the Sheriff or other Officer shall have been prevented from Executing such Process as aforesaid, shall respectively Forfeit to the Per-

son and persons who ought to have been
Quieted or Restored by such process as
aforesaid, Double the Value of the Rents,
Issues, and Profits of such Lands, Te-
nements, and Hereditaments, from the
Time of Pronouncing of the Judgment
or Decree on which such process was
founded, to be Recovered by Action, Bill,
Plaint, or Information, in any of His
Majesty's Courts, wherein no Essoign,
Protection, or Wager of Law, or more
than One Imparlance shall be allotted.

Provided allways, And be it Enacted by
the Authority aforesaid, That this Act
shall Continue during the Space of five
Years, and to the End of the then next Ses-
sion of Parliament, and no longer.

